REMARKS

STATUS OF CLAIMS:

By this amendment, claims 9, 12, and 14-15 have been amended. Claims 25 and 26 are new. Consideration of this Amendment and allowance of the claims are respectfully requested.

CLAIM REJECTIONS 35 U.S.C. § 103(a):

Claims 2-5, 6-10, 12, 14, 15, and 17-19 have been rejected under 35 USC 103(a) as being unpatentable over Ohsawa (5,790,195) in view of Dieterich (6,100,940).

In issuing this rejection, the examiner has relied upon the assertion that "Dieterich suggests many changes, modifications, variations, and other uses would be made. Therefore, one skilled in the art would use the suggested teachings of Dieterich to modify the compression of pre-processing apparatus of Ohsawa." It is respectfully submitted and maintained that Dieterich cannot be regarded as a motivation for the reader of Ohsawa to abandon what is a clear and unambiguous teaching of Ohsawa, which is that the input video signal is processed. Specifically, the pre-filter circuit 10 of Ohsawa is an essential part of the described circuitry and there is accordingly a very strong technical prejudice against the combination suggested by the Examiner.

Notwithstanding the above and in an earnest attempt to secure allowance, the applicant has amended the pending claims to and has introduced new claims to clarify patentable features. For example, the applicant has further distinguished the coding decisions of the present application from what the Examiner has identified in Ohsawa as "coding decisions."

Independent Claim 9

Claim 9 has been amended to specify "macroblock rate coding decisions including motion vectors." The allegedly obvious combination of Ohsawa and Dieterich does not disclose providing coding decisions that include motion vectors for passage with the input video signal along a video pathway. Moreover, since the aim and intent of the apparatuses

disclosed in Ohsawa and Dieterich, respectively differ from that recited in the claims, it would not be obvious to further modify the combination so as to include the motion vectors. Specifically, both Dieterich and Ohsawa disclose encoders. In each case, there is analysis of an input video signal that renders a more efficient coding process, which takes place within the coding apparatus. Additionally, the output from the encoders is a compressed bitstream.

In an apparatus according to an example of the present invention, the output of the claimed apparatus is a video signal having associated with it coding decisions which would enable a downstream encoder effectively to slave to those coding decisions and to produce a compressed bitstream having a bitrate determined by those coding decisions. This is not an aim of either Ohsawa or Dieterich and is held accordingly not to be obvious to modify Ohsawa or Dieterich to bring them within the scope of the claims.

Dependent Claim 10

Claim 10 depends from claim 9 and is, therefore, patentable for at least the same reasons claim 9 is patentable, and because it recites additional patentable features.

Independent Claim 12

Claim 12 has also been amended to recite "macroblock rate coding decisions including motion vectors." Thus, claim 12 is patentable for at least the same reasons claim 9 is patentable.

Dependent Claims 2-8

Claims 2-8 depend from claim 12 and are, therefore, patentable for at least the same reasons claim 12 is patentable, and because they recite additional patentable features.

Independent Claim 14

In a further attempt to distinguish the coding decisions from the "coding decisions" identified by the Examiner in Ohsawa, claim 14 has been amended to recite coding decisions that are "capable of enabling a downstream encoder to slave to the coding decisions and compression encode the input signal at a bit rate determined by the coding decisions." It is

respectfully submitted that, self evidently, the "coding decisions" identified by the Examiner in Ohsawa (even if they were presented with the input video signal to a downstream encoder) would not enable that encoder to slave to the coding decisions and to compression encode the input signal at a bitrate determined by the coding decisions.

Specific support for the language added in this amendment to claim 14 can be found in the present application as published under the PCT at page 6, lines 23 to 24.

Dependent Claims 17-19

Claims 17-19 depend from claim 14 and are, therefore, patentable for at least the same reasons claim 14 is patentable, and because they recite additional patentable features.

Independent Claim 15

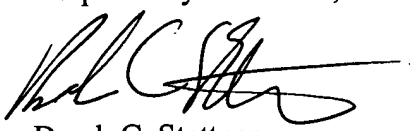
Claim 15 has been amended to recite coding decisions that are "capable of enabling a downstream encoder to slave to the coding decisions and compression encode the input signal at a bit rate determined by the coding decisions." Thus, for at least the same reasons described with respect to claim 14 above, claim 15 is patentable.

NEW CLAIMS

Claims 25 and 26 have been added in still a further attempt to clarify that the "coding decisions" identified by the Examiner in Ohsawa are not coding decisions within the scope of the claims of this application. Claims 25 and 26 clarify that the compression coding decisions contain all the decisions necessary for the creation of a compression bitstream apart from those decisions relating to quantisation. It is believed to be clear that the "coding decisions" identified by the examiner in Ohsawa do not contain all the decisions necessary for the creation of a compressed bitstream. Additionally, the "coding decisions" do not contain all the decisions necessary for the creation of a compressed bitstream, apart from those decisions relating to quantisation.

In light of the above, the Applicant respectfully requests entry of these amendments, reconsideration, and allowance of pending claims 2-5, 6-10, 12, 14-15, 17 -19, 25 and 26. Applicant also requests that the Examiner telephone the attorneys of record in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,



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File No. 087805-9010-00

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